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C O N F I D E N T I A L MANILA 001576

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STATE FOR EAP, EAP/MTS, S/CT

E.O. 12958: DECL: 04/07/2016

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SUBJECT: AMBASSADOR'S MEETING WITH SENATE PRESIDENT DRILON

Classified By: Ambassador Kristie A. Kenney for reasons 1.4 (b) and (d)

¶1. (U) Ambassador Kenney, accompanied by Pol/C, called on Senate President Franklin Drilon on April 6. The meeting received prominent coverage in the media on April 7.

¶2. (C) Counterterrorism legislation: Drilon admitted that passage of proposed CT legislation by the Senate had become "more difficult" than even six months ago, given the "arrogance of power" demonstrated by Malacanang with the week-long State of National Emergency and Executive Order 464 (limiting testimony to Congress by senior GRP officials absent prior Malacanang approval) as well as attempts to "muzzle the media." He noted that certain members of the Opposition in particular now feared that Malacanang could use provisions of the CT legislation to "harass" them. He provided the Ambassador with copies of Senate Committee reports critical of aspects of Executive Order 1017, which proclaimed the State of National Emergency. He lamented that E.O. 464 left no way for the Senate to talk officially with GRP leaders, who now channeled their remarks through the press instead. He noted an ongoing Supreme Court review of this E.O. He called for a clear indication from Malacanang of at least a "certain degree of tolerance of dissent."

¶3. (C) Charter change: Drilon described the three methods prescribed by the 1987 Constitution for amendment or revision -- a Constitutional convention, a constituent assembly, or a People's Initiative. He described his understanding as a lawyer of how a 1997 Supreme Court ruling had "permanently enjoined" the Commission on Elections (COMELEC) from overseeing such an initiative in the absence of sufficient legislation, which the 1995 law on this issue was not, according to the ruling. He expressed incredulity that the GRP was nonetheless expending resources and involving the Department of Interior and Local Government, as well as local government units, in the current campaign. In addition, the Constitution made clear that a people's initiative was only for minor revisions to the Constitution, not for a major change of system, he stressed. (Comment: The Constitution does not make such a distinction. End comment) He commented that he was "appalled at the brazenness" of this effort by Malacanang. He underscored that he was not at all opposed to charter change, especially making some of the economic provisions more "flexible," but rather objected to the "manner" in which Malacanang was now pursuing change. He noted that all twenty-three Senators had concurred in a resolution condemning the current people's initiative campaign as "illegal," and provided a copy. (Comment: The unity of the Senate on this point is not surprising, since the proposed Constitutional change would abolish the Senate. End comment)

¶4. (C) Corruption: Drilon also reviewed some of the corruption allegations against the First Gentleman, as well as the allegations stemming from wiretaps of President Arroyo's conversations with a COMELEC official after the 2004 elections. He provided a report by the Commission on Audit about misuse of funds designed for fertilizers in advance of the 2004 elections.

¶5. (U) North Korea: Drilon said he would accept a twice-delayed invitation from the Speaker of North Korea's National Assembly just after the Holy Week holidays, and would also stop in Beijing. He expressed appreciation for the update from A/S Hill on the Six Party Talks and related issues during A/S Hill's recent visit. He explained that he had met the North Korean speaker during the 2005 International Parliamentary Union meetings in Manila, at which time he brought that Speaker together with his South Korean counterpart.

¶6. (C) The Ambassador expressed her desire to help the Philippines move forward and achieve the kinds of political and economic successes that its talented and warm people deserved. She promised to consult closely with the Senate President during her tour.

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Kenney